

REMARKS

Initially, Applicants would like to express appreciation to the Examiner for the detailed Official Action provided, for the acknowledgment of Applicants' Claim for Priority and receipt of the certified copy of the priority document, and for the acknowledgment of Applicants' Information Disclosure Statements by return of the Forms PTO-1449. Applicants also note that the Examiner has not indicated that the drawings have been approved by the Official Draftsperson on a Form PTO-948. The Examiner is thus requested to indicate that Applicants' drawings are acceptable in the next Official Action.

Applicants acknowledge with appreciation the Examiner's indication of allowable subject matter in claims 1, 2, and 4-20.

Claims 1-20 are currently pending. Applicants respectfully request reconsideration of the outstanding rejection and allowance of claims 1-20 in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

The Examiner has rejected claim 3 under 35 U.S.C. § 102(e) as being anticipated by OMURA (U.S. Patent No. 6,618,577). The Examiner takes the position that the OMURA patent discloses an image forming apparatus including an ejected paper section 37, and a pair of ejection rollers 39. The Examiner further states that the vertical wall of section 37 shown in figure 1 comprises a stopper that prevents the recording paper from contacting the ejection rollers 39.

However, Applicants respectfully submit that OMURA fails to show each and every element recited in claim 3. In particular, claim 3 sets forth an image forming apparatus including, inter alia, an ejected paper section, a pair of paper ejection rollers that are rotatable in forward and reverse rotations, and “a stopper for preventing the recording paper ejected to the ejected paper section from contacting the pair of paper ejection rollers”. In Applicants’ claimed invention, the image forming apparatus includes a stopper at the first ejection roller. The stopper prevents a sheet of paper that has been ejected onto the ejected paper tray from being caught between the first paper ejection roller and the second paper ejection roller or between the first paper ejection roller and the third paper ejection roller. Further, even if the sheets of paper are collected from the ejected paper tray, no sheets will be caught between the ejection rollers since any sheet of paper that may come near the gap between the first paper ejection roller and the third paper ejection roller or near the gap between the first paper ejection roller and the second paper ejection roller will be blocked by the stopper. See particularly Applicants’ specification on page 12, line 14 through page 13, line 3; page 15, line 12 through page 16, line 22; and figures 2 and 6.

The OMURA patent discloses a device including a tray 37 which catches the paper falling from the ejection rollers. See particularly figure 1. The tray 37 is positioned downstream of a pair of rollers which feeds sheets of paper onto the tray. However, contrary to the Examiner’s position, it is respectfully submitted that the vertical wall of the tray of the

OMURA device can not be fairly read as a stopper. In this regard, it is pointed out that, in the OMURA device, the sheets of paper merely fall from the rollers onto the tray. It does not appear, and OMURA does not disclose, that the vertical wall prevents the sheets of paper from contacting the rollers. It is noted that, in the OMURA device, the sheets may not fall to the bottom of the tray due to a substantially filled tray or due to other circumstances, in which case, the top sheets of a stack on the tray may indeed be fed back through the ejection rollers. Further, the vertical wall does not block any sheets of paper coming near the rollers or near a gap between the rollers. In other words, the vertical wall of the tray and the tray merely receive the sheets, and do nothing to block the sheets from contact with the rollers. The vertical wall of the tray does not fill or stop up a gap between the rollers. Thus, even assuming, arguendo, that the vertical wall of the tray of OMURA could in some way prevent the sheets of paper from contacting the rollers, the vertical wall of OMURA can not be fairly characterized as a “stopper”. Accordingly, the OMURA patent does not show an image forming apparatus including, inter alia, “a stopper for preventing the recording paper ejected to the ejected paper section from contacting the pair of paper ejection rollers”, as set forth in claim 3. Since the reference fails to show each and every element of the claimed device, the rejection of claim 3 under 35 U.S.C. § 102(e) over OMURA is improper and withdrawal thereof is respectfully requested.

Accordingly, Applicants respectfully request reconsideration and withdrawal of all the rejection, and an early indication of the allowance of claims 1-20.

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

In response to the Reasons for Allowance, Applicants wish to clarify the record with respect to the basis for the patentability of claims in the present invention.

In this regard, while Applicants do not disagree with the Examiner's indication that the prior art does not teach or render obvious the combinations claimed in claims 1, 4, 5, 8, and 13, Applicants further wish to make clear that the claims in the present application recite a combination of features, and that patentability of these claims is also based on the totality of the features recited therein, which define over the prior art.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present response is proper and that none of the references of record, considered alone or in any proper combination thereof, anticipate or render obvious Applicants' invention as recited in claims 1-20. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

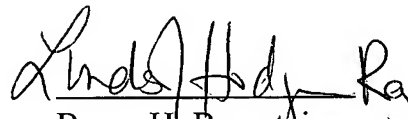
Accordingly, consideration of the present response, reconsideration of the outstanding Official Action, and allowance of all of the claims in the present application are respectfully requested and now believed to be appropriate.

P24176.A02

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,
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